



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,)
Plaintiff,)
v.)
LAWNS UNLIMITED LTD. and)
EDWARD FLEMING,)
Defendants.)
Civ. No. 05-495-JJF
Judge Joseph J. Farnan Jr.

PLAINTIFF'S MOTION TO COMPEL DEPOSITION

Plaintiff hereby moves this Court to order Defendant Edward Fleming to appear and give testimony at deposition on May 2, 2007, in Glasgow, Delaware. Plaintiff relies on the following in support of her motion:

1. To no avail, Plaintiff repeatedly attempted to schedule Defendant Fleming's deposition with Defendant's prior counsel. [DL 24, 27, 28 and 30]
 2. Plaintiff has since proposed two separate dates to Defendant Fleming's current counsel and subsequently advised of Defendant's unavailability.
 3. The location for Defendant Fleming's deposition was selected by Plaintiff for costs and the district in which it lies.
 4. Plaintiff had previously requested and was unreasonably refused a neutral location for the taking of her own deposition where the request was rendered in good faith in consideration of Plaintiff's status as a *pro se* plaintiff.
 5. Cutoff for the taking of depositions is June 1, 2007.

WHEREFORE, Plaintiff prays this Court enter an Order granting Plaintiff's Motion to Compel Defendant's appearance for deposition.



Renee M. Butz
58 Hickory Drive
North East, MD 21901
(410) 441-4300
Plaintiff *pro se*

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Plaintiff's Motion To Compel Deposition were sent by first-class United States mail, postage duly paid, on this 11 day of April, 2007, to counsel of record as follows:

Margaret M. DiBianca
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Plaintiff pro se

Dated 4/11/07



Ms. Renee M. Butz
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Judge Joseph Farnan Jr
US District Court
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